

**STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE
18-20 TRINITY STREET, HARTFORD, CONNECTICUT 06106**



Sarah Healy Eagan, J.D.
Child Advocate

VIA EMAIL: ritchiec@newlondon.org

November 13, 2019

Superintendent Cynthia Ritchie
New London Public Schools
134 Williams St.
New London CT 06320

Re: The Office of the Child Advocate's Outstanding Request for Records

Dear Superintendent Ritchie,

The purpose of this letter is to follow up on OCA's multiple requests for outstanding records necessary for the OCA's investigation regarding student safety and abuse prevention in the New London School District. Specifically, the OCA has not received the following information/reports:

1. The results of the District's commissioned human resources audit conducted by DeLuca Advisory Services, which audit was slated to be completed in August, 2019.
2. Information regarding the number of paraprofessionals currently employed by the District, their assignments within the District (i.e. self-contained or mainstream classrooms; 1:1 support assignments versus general classroom assignments) and the primary disability of the students receiving support from paraprofessionals. OCA indicated that we were not requesting identifying information regarding the paraprofessional or student.

To date we have neither received the above information, nor have we been provided with a basis, legal or otherwise, for the District's failure to provide it. As outlined in our original subpoena issued to the District at the outset of this investigation, pursuant to Connecticut General Statute § 46a-13m, the OCA, an independent governmental agency charged with investigating complaints regarding publicly funded services/systems for vulnerable children, "shall have access to ... any records necessary to carry out the responsibilities" of the Office, and that a subpoena may issue to "compel the attendance and testimony of witnesses or the production of books, papers and other documents."

The OCA has made numerous requests for the audit and special education staffing information as detailed below:

- The OCA met with District counsel on July 11, 2019 and requested receipt of the audit upon completion. Additional requests for the audit were reiterated on September 30, October 28, October 31, November 4 and November 5.
- Requests for the special education staffing information were made on September 30, October 28, October 31 and November 4.
- We have also inquired with the District, without response, as to the need or preference for additional subpoenas to cover various aspects of requested information.

On November 4th we wrote to the District that given the outstanding materials that had yet to be provided to the OCA, and to be respectful of everyone's time, we were postponing scheduled interviews of District personnel. The District responded by stating that it understood we required this information. The District also stated, without offering additional information, that it was "not in possession of the [Human Resources] Audit," that it had publicly endorsed and sought. On November 5th, we again asked for information as to when we could expect the audit and special education information and indicated that we would reschedule the meetings after receipt. The OCA has not received a response to that communication.

While we have received other materials from the District over the course of the past months, at this time, our investigation has been frustrated and delayed by the lack of cooperation or communication with regard to this critical information. The OCA is now forced to issue additional subpoenas and may take any and all legal action as permitted by state law to compel compliance. For context, I must also note that OCA conducts numerous reviews and investigations each year on behalf of vulnerable children and this office typically receives prompt compliance with records and information requests. Accordingly, we are hopeful that this troubling matter may be remedied expeditiously and that we can complete our investigation.

Regards,

Sarah Eagan, Esq.
Child Advocate
State of Connecticut

Cc: Kevin Roy, Esq.
Honorable Michael Passero, City of New London
Virginia Brown, Esq., Office of the Child Advocate